

ability of selling portion of the present building that fronts St. George's-terrace, and extending the buildings towards the river so that all branches of technical education could be dealt with under the one roof. I hope the Minister will inform the Committee why the salary of the Superintendent has been reduced.

Mr. Marshall: I hope he will not.

Item, University Exhibitions, £1,850:

Mr. LATHAM: I take advantage of this opportunity to point out that it is of little use Parliament providing exhibitions for students attending the University, if the professors, instead of the Senate, are to run the University. In the "West Australian" of the 17th October last, there appeared a report of a meeting of the University Senate at which the professors objected to a certain regulation which provided that the Senate might dismiss any professor or lecturer "whose continuance in his office or in the performance of his duties shall, in the opinion of the Senate, be injurious to the progress of the students or to the interests of the University." That regulation seems very sound, but the professors were able to defeat the object of the Senate. I am fully aware that the Minister has nothing whatever to do with the University, but Parliament has something to do with it.

The Minister for Works: It is time we amended the University Act.

Mr. LATHAM: If the Senate cannot control the professors, we should amend the Act and assume control ourselves. Parliament provides £24,000 a year under a special Act, and also sets aside money to assist students. I regret that some of the youths who go through the University express views that, to say the very least, are not commendable to the citizens of this State. If the professors are responsible for that kind of thing, and the Senate cannot control the professors, then Parliament will have to do so. I do not know whether it is true, but I am told that there is quite a little school at the University preaching communism. I do not say that the professors are engaged in it, but I am told a section of the students indulge in that practice. I do not know whether there is to be a new order of things and I do not care, but let us proceed slowly. We do not desire

to be half a century ahead, because that will merely cause bitterness and strife throughout the State. As a public man, I say emphatically that if the Senate cannot control the professors, Parliament will have to do so. In order to give the Senate some backing, I hope some notice will be taken of the few remarks I have made. I had intended to continue my remarks at some length, but in view of the lateness of the hour, and the time that has been devoted to the Education Vote, I shall not do so. Parliament has the necessary power, and should exercise it.

Vote put and passed.

Progress reported.

House adjourned at 11.8 p.m.

Legislative Assembly.

Thursday, 26th October, 1933.

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The SPEAKER took the Chair at 4.30 p.m., and read prayers.

ASSENT TO BILLS.

Message from the Lieut.-Governor received and read notifying assent to the undermentioned Bills:—

- 1, Goldfields Allotments Revestment.
- 2, Supply (No. 2), £1,201,000.

BILL—ENTERTAINMENTS TAX ACT AMENDMENT.

Read a third time and transmitted to the Council.

BILL—LOTTERIES (CONTROL) ACT AMENDMENT.

Second Reading.

Debate resumed from the previous day.

MR. LATHAM (York) [4.33]: I congratulate the commission on the good work they have done since their appointment. They have certainly given satisfaction to the public generally, and no doubt they have done what the Government of the day and the House desired they should do, namely clean up the old system of holding small lotteries without there being any control over the proceeds or contributions that were made. The Bill before us is a simple one and consists of three principles. The first portion covers the distribution of the proceeds of the lotteries, and provides for these being made available to any body that has for its object the relief of those who are unemployed. I advise the House that this can mean providing additional revenue for the Government, in that all the moneys available from the proceeds of the lotteries can go to the Government for the relief of the unemployed. I do not say whether the Government would take this opportunity or not, but if the Bill goes through, that is what can happen. This will mean defeating the objects of the Act.

The Premier: It would not help the Government to do that, because extra money would have to be found for the other purposes for which money is now given.

Mr. LATHAM: The Minister, when dealing with the Bill, told us the difficult position various philanthropic societies would have been in but for this fund. I know the trouble experienced by the Treasurer. He protects the funds as far as he can. I also know that some of these people would be quite ready to set up the system of cadging in the city streets in order that they might continue their philanthropic activities. It is wrong in principle to deviate from the original intention of the Act. After all, not too much money has been made available. I suppose actually there has been insufficient money for the demands made against it. Although I cannot support that principle, I am not justified in voting against the second reading of the Bill. The next point is an important one. I refer to the part of the Bill which enables a member of Parlia-

ment to keep his seat on the commission without the disqualification provided in Section 38 of the Constitution Acts Amendment Act. I am prepared to accept my share of the responsibility of the action of the last Government. We definitely appointed a certain gentleman as a member of the commission. We were convinced at the time that this section of the Act would not apply to him. The members of the present Government, who were then in opposition, acquiesced in our action. We have no right to appoint any person to the commission if we believe that any charge can be laid against him or any civil action taken by reason of his accepting such appointment. As I hold that view, I have no alternative but to support that principle in the Bill. I could not imagine any member supporting the idea that any person should run the risk of an action being taken against him in consequence of his having accepted a position created by Parliament. If we have made a mistake, it is right that we should rectify it. Whether members of Parliament should continue to serve on the commission is a matter for Parliament to determine. We should, however, relieve from the responsibility of fighting an action the gentleman who has been serving on the commission, a body which was appointed by Parliament. The other principle is one with which I cannot agree, namely that which involves handing over the funds to the Minister for distribution. The House decided that we should not have a State lottery. An amendment was moved to provide that a State lottery should be established, but it was defeated.

Mr. Marshall: Do you suggest that this is a State lottery?

Mr. LATHAM: If the Minister had the right to handle the whole of the funds, the members of the commission would merely be officers under him.

Mr. Marshall: It has not the semblance of a State lottery about it.

Mr. LATHAM: The members of the commission and those working under them would merely be servants of the Minister.

Mr. Wansbrough: Provided they were civil servants.

Mr. LATHAM: They could soon be made civil servants. If we hand this power over to the Minister now, it will mean that he will have the distribution of the entire pro-

ceeds of the lotteries after the prize money and expenses have been allowed for.

Mr. Wansbrough: On the recommendation of the commission.

Mr. LATHAM: He can, if he desires, veto the commission's decision. If I were a member of that body, I would go along to the Minister and say, "How shall we allot the money this month? These are the requests which have been made for its distribution." The Minister would then tick off the donations he would think should be made. Although I believe the Minister for Health is consulted with regard to the charities that are assisted, it has not been usual for the Minister to dictate to the commission. I was always consulted when I was Minister for Health. I was asked about X-ray plants, which hospitals should have them, and which cases were most urgent, etc. I had no power to dictate to the commission, and they would have resented it if I had done so. According to the Bill, the Minister has to give his approval in writing to the distribution that is made. Let us see what might happen, though I do not say it would happen in the case of the present Minister. It would be possible for the Minister to accumulate a lot of money and, immediately prior to the elections, make a fine distribution of the funds. What a popular man he would be! I would not mind being the Minister who had the distribution of this money. It is a very big power to put into his hands. I do not know that any Minister ought to want that power, or ought to have it, and he would be very unwise to desire it. I cannot support that part of the Bill. If we are going to have a State lottery, let it be properly constituted, and the law amended accordingly. We would then know where we were. In the case of State lotteries in Queensland and New South Wales, the distribution is not made by the Minister, but by the commissioner in charge. If we want charges of bribery and corruption made, or opportunities created for that sort of thing, this part of the Bill will enable that to be done. It would be unwise to shoulder any Minister with so much responsibility. Members of Parliament are spoken of very disrespectfully by a certain section of the community, although I do not say there is justification for what is said. We must protect ourselves and not give the public the opportunity to speak in this way. Although I am not sensitive myself on this matter, I do think

the House would be unwise to place in the hands of the public a weapon that would give them an opportunity to disparage the political standing of any member, or cast aspersions upon either House of Parliament. In Committee I shall have something further to say about this. I have no objection to the extension of the duration of the Act, and I cannot do otherwise than support the clause which provides for the protection of a man whom we appointed as a member of the commission. We have no right to appoint any person to a post where any civil action may lie against him because he has accepted such post. Meanwhile, I support the second reading of the Bill.

MR. NEEDHAM (Perth) [4.45]: On this occasion I find myself not in accordance with the Minister in charge of the Bill, the second reading of which I must oppose. The measure seeks to perpetuate a system which I have not approved of at any time, and as to which I made certain statements during the general election. When asked my opinion of the parent Act, I replied frankly that had I been a member of the House at the time, I would have opposed the measure. I must keep my promise to my electors, and oppose the present Bill. True, the measure contains two or three slight amendments which will improve the principal Act. For instance, there is the inclusion of the relief of unemployment among the objects to which the funds of the Commission may be devoted. Then there is the amendment giving the Minister somewhat greater power than he now has. So far the Minister has not indicated whether there is any prospect of an opportunity to renew the newspaper contests—an innocent method of entertainment which was popular a while ago and was very cheap.

Member: And nasty!

Mr. NEEDHAM: Perhaps cheap and nasty, but at all events it did no harm to anybody. On the contrary, it provided employment for numerous people and benefited the State and Commonwealth revenues. I realise the necessity for control of gambling. I know perfectly well that gambling cannot be entirely suppressed. Mankind ceases to gamble only in the grave. However, I did not formerly nor do I now agree with the present method of controlling gambling. I did not and do not believe in the appoint-

ment of a commission for this purpose. Gambling should be controlled through the Minister, who, I believe, has an adequate staff to carry out the work; otherwise there are sufficient unemployed from whose ranks the services of four men could have been obtained to carry on the work just as well as the existing commission have done. I cast no reflection upon the personnel of the commission or their work. However, if commissioners were necessary for this purpose, they could have been selected from among the unemployed. When the Minister replies I should like him to state whether or not he will remove the restrictions placed upon newspaper contests and let them have an opportunity three or four times a year. The ban upon them might well be lifted to that extent. The very Act which the Bill seeks to amend involves the element of chance. The only difference is that whereas the participator in a State lottery pays 2s. 6d. for his chance, the participator in a newspaper gamble paid 6d. Both depend purely upon luck. There is no element of skill in a lottery, nor was there any skill involved in some newspaper contests. I still hold that the control of lotteries could be effected without any commission comprising either members of Parliament or other persons. I would like to see the commission, if it must exist, composed of men entirely apart from politics. Clause 2 is important, asking for the validation of a certain action which has not yet been declared illegal. Presumably the Minister, before bringing down the Bill, obtained the opinion of the Crown Law Department, and the clause originates with that department. I shall not pit my opinion against that of the law officers, but I am under the impression that the clause, even if adopted, will not validate the position it seeks to validate. Either membership of the Lotteries Commission is an office of profit under the Crown, or it is not. There is no halfway house. I have yet to learn that this clause can amend the Constitution Act.

Mr. SPEAKER: Order! There is far too much talking going on. The hon. member can hardly be heard.

Mr. Sampson: The hon. member is speaking very low.

Mr. NEEDHAM: If a man is placed in a false position by the Parliament of the

country, Parliament must stand by him. The more I look at the clause and at the Constitution Act, the more doubts I have as to whether the clause will achieve the object the Government have in view. If the Minister would give me an assurance with regard to the restriction on newspaper contests, I would feel inclined to support the second reading of the Bill. Otherwise I must, in justice to my constituents and in accordance with the promises I made on the hustings, oppose the measure.

MR. FERGUSON (Irwin-Moore) [4.52]: I intend to support the second reading of the Bill, although for the reasons given by the Leader of the Opposition I am unable to support certain clauses. It will be remembered that when the parent Act was brought down last session, it met with a mixed reception both in Parliament and in the country. Many organisations which had banded themselves together to benefit, as they held, the general community in some respect or other, were definitely and strenuously opposed to it. However, it must be admitted that as the result of the work of the Lotteries Commission matters in connection with gambling generally in this State have improved out of all knowledge. Undoubtedly, prior to the passing of the Act the position existing not only in the metropolitan area but throughout Western Australia was almost intolerable. In Perth one could not walk along the street without having books of tickets in one sort of lottery or another poked in front of one's face, and being importuned to buy.

Mr. Sleeman: That is still the case.

Mr. FERGUSON: But in a lesser degree and the objectionable features associated with the sale of tickets have been entirely eliminated. For that we have to thank the commission operating under the principal Act. It is generally admitted that the position obtaining to-day is much more satisfactory. I feel sure that no one moving around the metropolitan area, at all events, wishes to revert to the position previously obtaining. While human nature remains as at present, it seems likely that a large percentage will want to have a small gamble occasionally. Therefore it is advisable not only that gambling should be controlled, but that those who participate in a gamble should be compelled to contribute in some form to charities which at all times are crying out

for financial support. To my mind it is one of the justifications of legislation of this nature that it tends to assist deserving charities which otherwise would be dependent on the freewill offering of the public, or, through the Government, on the taxpayers of the country. The Minister told us last night of the amounts paid to charities since the appointment of the commission. Undoubtedly many deserving institutions have been helped to discharge their obligations, and to establish themselves on a satisfactory basis. Moreover, the Treasurer has been relieved to some extent, for he has not been called upon to find such large amounts as previously for the maintenance of charitable institutions. The validation of the appointment of a member of Parliament must necessarily be approved by members of the Government that made the appointment. I personally am prepared to take my share of the responsibility for that appointment, and do anything in my power to help the passage of legislation validating the position.

Mr. SPEAKER: The hon. member, and hon. members generally, need not discuss that particular phase, which is sub judice. I trust they will discuss the general principles involved, without discussing a particular case.

Mr. FERGUSON: Very well, Sir. The objection I have to certain features of the Bill is based on what may be termed an unholy alliance between Clauses 2 and 4. I cannot refer to those clauses individually at present. One clause provides that the definition of "charitable purpose"—

Mr. SPEAKER: I do not wish my ruling to be misinterpreted. Hon. members may discuss the general principles involved in the Bill, but it would not be in accordance with the Standing Orders to discuss a particular case, which is sub judice.

Mr. FERGUSON: I appreciate that, Sir. The clause in question provides that "charitable purpose" shall include the relief of unemployed persons in the State. Further, the Minister is to be empowered to declare what bodies shall benefit from funds available for distribution. This last provision seems to me too much open to abuse. Take the case of the Minister now controlling this legislation. I select that hon. gentleman because probably no member of this Chamber would be less likely than he to indulge in anything savouring of corrupt practice.

Let us suppose that the definition were extended to include unemployed committees, and that the Minister had control of the distribution of the funds. Is it not reasonable to imagine that if there were a considerable body of unemployed persons in his electorate, and he came into personal touch with them frequently, he would be more likely to be impressed by the necessity for providing funds for the relief of the unemployed persons in that particular locality than for those in some other part of the State? It would be definitely unfair to any Minister to place that responsibility on his shoulders. While I know it would be perfectly safe so long as the administration of the funds was in the hands of the present Minister, it has to be recognised that a future Minister may not be above reproach, and something might be done to divert a greater percentage of the money available for distribution by the commission to the unemployed in a certain district than could be justified. Another aspect refers to the difficulty that would confront a Minister in the distribution of funds for the unemployed. Let us assume that there were 50 unemployed men in Moora and 50 in York. In York there was, we will suppose, an active relief committee and there was no such body at Moora. It would appear to me that the unemployment relief committee at York would be more likely to receive attention at the hands of the Minister in the disposal of funds available for distribution than would be the unemployment committee at Moora.

The Minister for Health: Do not you think that would apply just as well to the members of the commission if they had the power of distribution, irrespective of who they may be?

Mr. FERGUSON: Yes.

Mr. Doney: But in that instance it would not savour of the political.

Mr. FERGUSON: It is for that reason I think it would be better not to extend the definition of "charitable purpose" to include any body having for its object the relief of unemployed persons in the State. The small amount that would be available for distribution after the recognised charities had received their fair share, would not be of any use in alleviating, to any appreciable extent, the distress that obtains among unemployed persons.

The Minister for Health: Do not you think that the distribution of funds by the commission has been of considerable use?

Mr. FERGUSON: Yes, I do. The members of the commission are responsible for the distribution of the funds and I am perfectly satisfied to leave that task to them. One of the objects of the legislation at the outset was to remove from political and ministerial control, the problem of gambling and the distribution of funds that would be available as a result of the gambling propensities of the public generally. Parliament approved of the power being placed in the hands of the commission. It seems to me it would be wrong to prohibit the members of the commission from distributing the money and to hand over that power to the Minister. I do not think that course would be fair to the Minister or to the commission, and no such provision should appear in the legislation. With the reservations I have indicated, I propose to support the second reading of the Bill.

MR. DONEY (Williams-Narrogin) [5.5]: This is not a wholly desirable Bill but because it embodies one very necessary provision, I shall support the second reading. One thing claimed by the Minister, with which I am not in accord, was his statement that two members to whom he made reference should be exonerated from all blame for the strange position that has arisen. The House will recollect that when the original Act was under discussion we debated the question of the appointment of members of Parliament and, in the circumstances, the two members who were appointed to the commission must accept their share—I admit it is not a big share—of the responsibility for the position in which they find themselves. But equally is it a fact that the House should not be exonerated from blame? Plainly, Parliament should not be so exonerated, but must shoulder a far greater share of the responsibility. It will be plain that the decision of 50 members of Parliament, or rather the responsibility for that decision, should not at any time be borne wholly by any one of them. During the original discussions on the legislation, I pointed out, as definitely as I was able, that I was not in accord with the appointment of members of Parliament to seats on the

Lotteries Commission. I endeavoured to show, also, my opposition to the principle generally of the appointment of members of this House to any office of profit under the Crown. I was out-voted. Ultimately, the two gentlemen we have in mind were given appointments to the commission on the very clear understanding that there was no possibility whatever of any troublesome legal repercussions. I think the appointments were accepted on that understanding. I recall that the then Attorney General announced his opinion that the appointments then under consideration were certainly not to offices of profit under the Crown, of such a nature as made them contraventions of the Constitution Act. In the end the Attorney General's opinion was accepted by the House. As the appointments were accepted on that understanding, I am of the opinion that Parliament cannot at this juncture, without dishonour to itself, recede from the position taken up at that time. It happens that one of those who accepted an appointment has encountered that very trouble he was assured was non-existent.

Mr. SPEAKER: Order! The hon member cannot discuss that phase of it because the case is sub-judice, as I have already pointed out.

Mr. DONEY: I am afraid that members have been led astray by virtue of the fact that the Minister himself made copious references to the actual persons concerned. I would merely say that since that trouble has arisen, it would not be fair to abandon the gentleman concerned to his fate. If you will pardon that one reference, Mr. Speaker, I shall not offend again. Members may recall that, by way of interjection, I expressed the opinion, as the result of a mere cursory glance at the Bill, that the retrospective provisions were faulty. That did not appear to be the view of others, but, after a closer examination of the Bill, I am more definitely of that opinion than before. I do not know whether our legal friends who sit on the Opposition cross-benches intend to amend what I allege to be a fault in the Bill. If they have any such intention, I hope they will indicate it because, if they do not desire to take action in that direction, I shall do so myself. It is manifestly essential, if the Bill is to perform the purposes for which it has been

introduced, that it shall be retrospective. It would be futile to pass the Bill if it were not so. I do not desire the legislation to fail in its purpose the second time. Though that loophole should be sealed, even then, to my mind, the position is not altogether secure. I may be mistaken, but it seems to me that a person will be guilty or not guilty according to whether or not he has contravened an Act of Parliament in force at the time of the contravention. That is as I see it. What possible chance have we of cancelling any misdemeanour that has actually been committed? It may be possible to overcome that position: I hope it is. I shall be interested to hear what our legal friends have to say on that particular point. So far, I have been mainly in accord with the views of the Minister. When, however, he proposes to take unto himself power that now quite properly belongs to members of the Lotteries Commission, he and I lose touch. The Minister desires himself to allocate the profits that may be made by the Lotteries Commission. I see no sound reason for the change. Nor do I think the Minister, in the course of his speech when moving the second reading of the Bill, advanced any convincing arguments in support of the change. I recall that he said the members of the commission to date had performed their duties with reasonable satisfaction. He went on to speak in such glowing terms regarding their work that I have no doubt that in his own mind he is satisfied they have been highly successful in their operations. I see no reason, therefore, why we should interfere with them at this juncture. I also recall the Minister having said that the allocations they had made were, in his view, completely satisfactory. We cannot improve upon a record like that. It is not as though they were dealing with governmental money; it is public money. Because of that, there is even less reason why the Minister should seek to take the control of the distribution into his own hands. After the investigations they have carried out for quite a number of years, the present members of the commission are peculiarly able to assess the pecuniary needs of the bodies and associations requiring assistance, far more so than the Minister for Agriculture or, for that matter, any Minister of the Crown could possibly be. As a matter of fact, I think it is

the duty of the House to divorce activities of this type, as far as possible, from political touch and if at any time it should happen that we are dissatisfied with the work of the members of the commission, we can amend the Act, not by handing additional power to the Minister, but by altering the personnel of the commission. I am opposed to any member of the House being appointed to the commission and if any member, in Committee, moves an amendment along those lines, I shall support him.

MR. THORN (Toodyay) [5.15]: I am sure many members are quite unhappy over the position that has arisen, making it necessary for the Government to bring down the Bill. When the parent measure was before the House, the expression of opinion given by the House was definitely against the appointment of members of Parliament to the commission.

Mr. Marshall: Not on your life.

Mr. THORN: Of course it was. In spite of the opinion expressed by the House, the Government appointed members of Parliament to the commission. We were quite agreeable to the appointment of the commission, and it is my sorrow to-day to think the Government did not give more consideration to the views of members and carry out their desires. A very dangerous precedent is being created by the bringing down of legislation to protect members of Parliament, especially at a stage such as this. The Government would have been wise had they allowed the matter to right itself.

Mr. Doney: It has small chance of righting itself.

Mr. THORN: Well, let it take its course. I do not suppose it is altogether fair that I should make a remark like that, for after all it is the duty of the Government to protect the persons they have appointed, for undoubtedly those persons took up their positions on the assurance that everything was in order. The trouble is that when legislation such as this is brought down, it is quite on the cards that at a later date some other member may deem it right to ask the Government to bring down legislation of a similar nature. It is a very dangerous precedent. When the parent measure was before the House, I was definitely in favour of a State lottery, and the then member for Perth (Mr. Mann) said the only way in

which to tackle the existing position was to set up a State lottery. There are plenty of men capable of conducting the lottery, men who have fallen on hard times and are out of work and could very well have been appointed to the position. What has happened now? The Minister is asking for power to have a final say in the distribution of the funds. So it is now forming itself into a piebald State lottery.

Mr. Sleeman: Are you still in favour of a State lottery?

Mr. THORN: Yes, I am, under a commission. If we are going to tackle the question, why not do it in a proper manner and appoint a State lottery commission? We cannot prevent gambling, and so our duty is to place it under proper control. If we do that, we shall be doing our job.

Mr. Marshall: And other forms of gambling as well.

Mr. THORN: Yes, control them all. It is like other things; some people want prohibition, but I say it is better to have drinking regulated. The correct way to regulate gambling is to place it under proper control. Other members have expressed the opinion that there could have been abuses in the distribution of the funds from the sweeps. My advice to the Government is to leave well alone. When we talk about the distribution of money for relief work, we may at a later date find that the bulk of this money is being used for relief work. It was not meant for that. Our idea in setting up the lottery was to help charitable institutions and hospitals.

Mr. Lambert: All those charitable institutions to be helped should be definitely set out in a schedule.

Mr. THORN: I hope that in Committee amendments will be moved which will allow us to support the measure to a certain extent.

Mr. Lambert: What does that mean?

Mr. THORN: I do not wish to be unfair and we find a certain position has arisen for which the Government are responsible. I feel we ought to give the necessary protection, but I should like to see it done in another way. We cannot now let the parties down, but I hope we shall be able to correct the position in a way altogether different from that proposed in the Bill.

HON. W. D. JOHNSON (Guildford-Midland) [5.22]: I approach the question from an angle totally different from that taken by most of the members who have spoken. I am opposed to indirect taxation of this kind. The Bill is a measure for indirect taxation, for calling upon those people least able to bear it to contribute to the maintenance of Government or semi-Government institutions.

Mr. Marshall: It is by voluntary contribution.

Hon. W. D. JOHNSON: That does not matter. Legislation is passed to raise funds for the purpose of maintaining Government institutions.

Mr. Latham: This represents the only opportunity we have of raising some funds outside the State.

Hon. W. D. JOHNSON: I will deal with that presently. The Minister has said that £77,000 has been raised from the people of the State, possibly some of it from outside. From what section has it been raised? Has this £77,000 for Government institutions been obtained from those best able to bear the strain of that maintenance? Are the wealthy amongst us called upon in proportion to their capacity to pay for the maintenance of those institutions?

Mr. Griffiths: Are there sufficient in the State to be of much use?

Hon. W. D. JOHNSON: Most of the £77,000 has been collected in the State; the money is here; it is only a question of who furnishes it. We do not know where this money comes from, or what injury we are doing to those who cannot protect themselves by giving them an opportunity to contribute money that really does not belong to them. People that should be using their money for other purposes are contributing to calls of this description. If I tax a person, I want to know whom I am taxing, I want to know whether he is capable of carrying the tax. In common fairness I say it is the responsibility of Parliament to see that opportunity is not given for some to escape their obligations while we call upon others to try to carry an obligation altogether beyond their capacity. No doubt our institutions must be maintained. But we have always had a method of maintaining them; the British Empire has always had a standard of maintaining such institu-

tions. But this lottery is no standard, no recognised method of providing that which is essential to their maintenance. We do not know where the money comes from, we do not know in what proportion it is contributed, and therefore this is the raising of £77,000 by indirect taxation and giving encouragement to some to contribute beyond their capacity and so do injury to others, while at the same time the wealthy in our midst are permitted to go scot-free. Generally speaking, wealthy people do not contribute to such a fund; they are the people who should be called upon to contribute most, but under this form of taxation they escape while others pay. We are told it cannot otherwise be done, our institutions cannot be maintained. What is the use of arguing like that? The fact that we do raise £77,000 over a period demonstrates that it can be raised, and is the most effective reply to that contention.

Mr. Latham: We have raised nearly twice that amount; £77,000 is only the distributed profits.

Hon. W. D. JOHNSON: It is true that I am wrong in suggesting that £77,000 is the total figure; considerably more than that has been raised by the sweeps. The fact that it has been raised is a definite reply to those who contend there is no other way of maintaining our institutions. If the wealth is here for contribution, we should be able to place it on such a basis that everybody would pay according to capacity. If, on the other hand, we are taking this money from people who cannot legitimately contribute, we are doing a moral wrong.

Mr. Marshall: The fact that certain people do contribute does not indicate that they cannot legitimately do it.

Hon. W. D. JOHNSON: Many people contributing are contributing out of all proportion to their capacity. To a large degree this money is contributed by the poorer section of the community, while the richer section applaud legislation of this kind and urge Parliament to pass it so that their wealth shall be protected from taxation.

Mr. Griffiths: Is that a fair statement to make?

Hon. W. D. JOHNSON: It is my honest opinion, and, holding that view, I have the right to express it.

Mr. J. H. Smith: Contributions to these sweeps are voluntary.

Hon. W. D. JOHNSON: But it is a kind of contribution that should not be encouraged by the State.

Mr. J. H. Smith: The money is contributed in expectation of getting results.

Hon. W. D. JOHNSON: In expectation of grandmothers! People are contributing money that should be used in their homes and for their children.

Mr. J. H. Smith: You are a pessimist.

Hon. W. D. JOHNSON: We are told that we cannot raise sufficient money for charitable institutions otherwise, because another place will not pass the necessary legislation. It is said that the House established to protect wealth and property will not pass legislation to tax property, but will pass legislation to enable the contribution to be exacted from others, leaving those best able to pay to escape their share of the burden. Is not that tantamount to regarding the views and policy of another place as something formidable? Should we degrade the whole life of the community rather than tackle another place and insist upon taxation being based fairly and equitably? Viewing the question fairly and squarely, we must admit that the bulk of the money has been taken from homes that could not afford to contribute, simply because another place will not pass the necessary legislation to maintain the charitable institutions of the State.

Mr. Wise: It would be impossible to prove that.

Hon. W. D. JOHNSON: Of course it would be, but the hon. member is not blind to the fact that that is the actual position. He knows as well as I do that the purchasers of tickets are not the wealthy people, but the wage-earners. When dealing with one form of taxation, we argue that the wage-earners should be exempt, but we encourage legislation of this kind under which the wage-earners will contribute more than their fair share.

Mr. Wise: This is self-inflicted taxation.

Hon. W. D. JOHNSON: It may be termed self-inflicted, but it is no function of Parliament to encourage people to inflict on themselves taxation that is beyond their capacity to pay. I do not contend that people should not gamble. I am no saint; I gamble. What I object to is Parliament providing the machinery and encouraging people to tax themselves for the

maintenance of Government institutions. Generally speaking, thrift is no longer a virtue, but has become inactive. People are not saving as they used to save, largely because of the provision of sustenance payments. Doles are provided for the maintenance of families: those who have spent their money are getting Government assistance. It is sad but true that men are reasoning, "What is the use of saving money, or of banking anything I may make over and above what is necessary to satisfy actual needs? The State does not encourage thrift; actually it penalises thrift." In taxation of this kind the indirect burden is on the worker.

Mr. Wausbrough: If he could not indulge in this form of gambling, he would send his money to the Eastern States.

Hon. W. D. JOHNSON: I shall deal with that point. Instead of encouraging people to be thrifty, we are, by legislation of this kind, encouraging gambling. We are giving people a statutory right to indulge in gambling. Parliament is descending to the level of the racecourse, the two-up school, the poker school, and the bridge evening. In effect, we are saying to the people who gamble in that way, "We realise the possibility of getting indirect taxation from you, but instead of imposing taxation on those forms of gambling, we will create other means of gambling." The fact of Parliament passing such legislation places the hall-mark of respectability on gambling, regardless of the form it takes.

Mr. Lambert: We have been doing it for years under the totalisator tax.

Hon. W. D. JOHNSON: I admit that the totalisation tax has been a tax on gambling, but that is a different proposition from the one before us. The totalisator does not enter the homes of the people; it is not pushed under their noses at street corners. The totalisator is located in an isolated place, and one has to pay in order to approach it, and the cost to approach it is very high as compared with the cost of admission to other entertainments—that is, if horse-racing can be termed an entertainment. The member for Albany interjected that until this form of gambling was provided, the money was sent to the Eastern States. If money was sent to the Eastern States, we as a State had not attached to us the odium of encouraging gambling. We could not prevent people from sending

money out of the State to patronise forms of gambling elsewhere, but the fact that a certain amount of money was sent away is no justification for approving of a tax of this kind. We must bear in mind the difference of the basis on which money was sent to Tattersall's and such-like places. The lotteries in this State have been brought down to the level of the ordinary man on the basic wage—the earner of a small wage. He is encouraged to indulge in these lotteries because of their cheapness. When money was sent to the Eastern States, it was largely sent by groups of individuals, and, generally speaking, by those in a better position to indulge than are those who participate in the local sweeps. We should appreciate that legislation of this kind has its repercussions. The Minister for Lands quite recently had occasion to comment on the moral tone of some of the clients of the Agricultural Bank, and even within the last few hours, the Managing Trustee of the Bank has commented on the same theme in evidence before a Royal Commission. Do not members realise that we, by passing such legislation, shall not be elevating the moral tone, or encouraging thrift or the recognition of just liabilities? Rather do we by such legislation throw all sense of moral obligations to the wind. We have been told that this is a young man's Parliament, and I ask the young men, "Is this the kind of legislation you entered Parliament to support?" We were told that we should not deal with fiddly-winking matters, but should grapple with big questions. This is a big question. The young men in this House have delivered able speeches on world questions of economics and reforms. Here is an important question at their door, and I ask them not to go overseas for material for their speeches when this subject demands their attention. They are asked to support an indirect form of taxation of this kind simply because Parliament has not the moral courage to tackle the question as it should. The young men in the Parliament should give a lead to those who have become so depressed by existing conditions that, in their old age, they are afraid to tackle this question courageously and defiantly, and to say to the representatives of vested interests, "We are not going to inflict indirect imposts of this kind on those least able to bear them. We are going to demand that those who can afford to pay shall contribute to the maintenance of

charitable institutions proportionately to their capacity to pay."

Mr. Lambert: How did America get on with her Eighteenth Amendment?

Hon. W. D. JOHNSON: I do not know that the conditions in America have any bearing on this question. What I do know is that the money is available within the State, and that those who are contributing are the people least able to contribute. It is said that people insist upon gambling. Of course they do. I have been gambling ever since I earned money.

Mr. Latham: Certainly you gamble every three years.

Hon. W. D. JOHNSON: Quite so, but I am not complaining of it. I am objecting on principle. We are lowering the prestige of Parliament and are conveying to the people that we are unable to deal with the problem in a big way. We are getting down to the level of adopting the policy of least resistance and by fair means or foul raising money for the maintenance of our charitable institutions. We have quite a lot of enthusiastic support for indirect taxation of this kind. Last night we had to listen to a lot of condemnation because members found that there were reformers in our midst. Parliament can see a virtue in taxing the community on a basis of this description, and at the same time it can see a lot of danger in professors of the University expressing opinions that lead us beyond taxation of this kind. Because those professors preach reform, because they declare against war, because they declare in favour of a better form of society, some members want them silenced.

Mr. Lambert: What has that to do with the Bill?

Hon. W. D. JOHNSON: Do not we need to be educated when Parliament descends to this level to raise money? Surely we can look to our University and its professors and the best schools for that purpose. We are not game to approach the matter in a courageous way and do the thing properly. Anyone who preaches reform to-day, in the way it is being preached by the professors, is doing more good to the community than Parliament is doing by passing legislation of this kind. Just as we are descending to the lowest depths in our efforts to raise money for our charitable institutions, so they are trying to elevate us in education and thought. Some people say that this is

not encouraging gambling, that it is a modification of it; but you cannot tinker with a principle. If you introduce legislation of this kind, to tax the people in the manner proposed, it does not matter how you surround it by limitations or anything else, the principle is there. I say most definitely that my Labour principles are not in that direction. The environment of our trade union organisations should never have allowed us to descend to a level of this description. The Labour movement has been a reform movement, a movement to elevate, not to degrade. It was brought into existence to uplift humanity, not to degrade it, nor to protect property and wealth at the expense of the home. The idea was to protect the home and tackle wealth and profits in such a way that those who gained the wealth and profit would disgorge portion of their surplus for the maintenance of our charitable institutions. So long as we go on tolerating what is now proposed, so long as we neglect to expose it, and so long as we fail to let the workers realise it is an indirect impost that is out of all proportion to the load the workers are expected to carry, so long will the evil go on. An indirect impost is being placed on the workers, gradually but surely, and to a large extent the Labour movement is responsible for it. The Premiers' Plan is legislation of this kind. It provides for the transfer or the distribution of the wealth of Australia on a basis that is different from that which was in existence before the Plan was introduced. It is because the Labour movement tolerates this kind of thing that we are descending, until to-day we are losing the respect of the workers and the thinkers who are associated with our movement. I am in a happy position in regard to this legislation. I was elected by the people of Guildford-Midland definitely on my pledge that if I got the opportunity I would repeal legislation rather than extend it.

Mr. Latham: You have your opportunity now.

Hon. W. D. JOHNSON: The question was definitely before me as to whether I would agree to a continuation of the Lotteries legislation, and I pledged myself definitely on the lines I have indicated. I can say to my constituents now what I have said in this House, that I am not in favour of legislation of this kind and that I would rather use my vote to repeal it than to extend it.

Mr. Mann: Then what are you going to do about it?

Hon. W. D. JOHNSON: The hon. member need not worry; I will come to that. I want members associated with me to realise that the bigger the majority a Government may have, the greater the responsibility. A majority is not given to a Government to encourage it to adopt a weak attitude; a majority is given to a Government to make it strong. The bigger the majority the more confidence the people have in the ability of the Government to tackle problems having for their object the reform of economic conditions rather than extending such proposals as that before us. It has been asserted that sweeps and art unions have been carried on for a considerable time, and that there has been no alteration in the law with regard to their suppression. But I would point out that sweeps and art unions were carried on before because the police tolerated them and did not use the power they possessed to regulate or control them, and so we found people perpetually raising money by selling tickets at street corners. Then the police became active.

Mr. Raphael: Look at the revenue that the police have been responsible for raising in connection with betting.

Hon. W. D. JOHNSON: I have no objection to that, but the revenue the police are bringing in has nothing to do with lotteries legislation: it is due to the attempt that is being made to suppress starting-price betting in the city shops. If the police are active to-day, it must be said that previously they allowed things to go on and grow. It was a matter of giving an inch to-day and that inch being extended to an inch and a half to-morrow: in other words, the police were encouraged to approve of a modified form of gambling. Then the business was allowed to extend until it undoubtedly got out of hand. I have no desire to cast any reflection on the police; I have the greatest admiration for them and the work they do. But we have to bear in mind that all these forms of gambling were introduced during war time. At that period any form of gambling was looked upon as a patriotic effort to raise money to help the soldiers overseas, and every method was resorted to for the purpose of raising money. But after the war ended, we had not the strength to

put an end to all that gambling. Instead of saying, "The war is over, and these methods of raising money must no longer continue," we went on and permitted them to extend. How much did White City contribute towards the charities of that time? To what extent did White City influence Labour to endorse this type of legislation? White City gave money to many organisations, and everyone realised that money poured in under a system which encouraged those who were unable to afford it to gamble at White City and places like it. Then it was realised that having closed down White City, it might be as well to have a lottery. It is wrong to say that the Lotteries Commission or the passing of the Lotteries Act has in any way contributed to reform. The Lotteries Act has merely enabled the police to take a definite stand, a stand supported by Ministers and Governments that could have been taken at a much earlier period had the same support been there. It is wrong to say that the improved conditions are due to the passing of the Lotteries Act. Parliament cannot shelter itself behind a contention of that kind, because we know that the Lotteries Act has not so contributed. We know that sweeps were approved of before the Lotteries Act was passed. They became a scandal until the police stopped them. Then a certain number of consultations were approved and drawn publicly, and the open way in which tickets were sold was evidence that the police tolerated this form of gambling. The action taken by the police is clear and conclusive evidence that the power was there to stop the conduct of sweeps. Instead, the sweeps were permitted to grow. As I have already said, all this gambling is the outcome of what was started during the war period, when the people's minds were disorganised and public policy was turned upside down. There was no moral sentiment about the way in which funds were raised, and so it has gone on. The sad part is that the Labour Party now has to influence the public to support legislation of this kind. I recognise that this system has been established, but I voted against it before and will vote against it again. I can never bring myself to vote for this means of raising revenue. We have to be fair, however, and recognise that the Government are merely continuing the raising of funds for these institutions along

the lines laid down by another Government. To change that system immediately is difficult. I would suggest that instead of extending the Act until 1936, to a time when the Government may go out of power, and at any rate will be appealing to the electors, they should extend the Act till next year. Meanwhile, they could devise ways and means of putting this matter on an equitable basis, whereby money can be raised in a manner that will be a credit to the Government, to Parliament and to the State. We are not doing things in the right way now. We are not elevating Parliament in the eyes of the community. Parliament is not popular with the people to-day, largely on account of legislation of this kind. If we were to be more courageous, more determined and more anxious to elevate the moral tone of Parliament instead of reducing it, Parliament would be revered by the people in such a way that you, Mr. Speaker, and I would get more satisfaction out of our work than we are getting under present conditions. I am opposed to the Bill on principle. I have always objected to this legislation, and will continue to do so. We should at the most extend it until next year, by which time we may have been able to devise means to deal with the matter in a manner that will reflect greater credit upon us all.

MR. J. H. SMITH (Nelson) [6.3]: I have listened with great interest to the remarks of the member for Guildford-Midland (Hon. W. D. Johnson). I only wonder whether he is sincere. One would think it was compulsory for people to buy tickets in these lotteries. This measure presents an opportunity to test the House on this amendment to the Act. If members on this side are sincere in professing that no member should accept an office of profit under the Crown, they will have an opportunity of expressing their opinions by their vote. We can also test out our friends opposite. If they are sincere in their remarks, they will cross the Chamber and vote against the Bill. I assume, however, that heads have been counted, and that some members on this side will cross the floor, and other on the opposite side will come over here, on account of their moral convictions. The member for Perth (Mr. Needham) has addressed himself to the subject. He said he favoured the newspaper crossword puzzles. They won him his election. He was

quite candid, and said that he was member for Perth entirely because of the crossword puzzles.

Mr. Needham: I said nothing of the sort.

Mr. J. H. SMITH: We have him here to-night because of that fact. He said he would favour the reinstatement of newspaper crossword puzzles, and their being allowed three or four times a year in the case of each of the newspapers concerned. I have nothing to say against that. Let us put the sincerity of members opposite to the proof. I do not agree with that portion of the Bill which gives to the Minister power over the funds of the commission. My sympathies are with the commission. They are carrying out a fine work and doing very much good for Western Australia. The money involved is being kept in the State and is benefiting many deserving causes. The lotteries themselves are becoming more popular every day, and are well run at a low cost. There is no complaint because only 40 per cent. of the money paid in goes to the fortunate winners. I object to the Minister having any control over the funds. I can see in the Bill a danger of another white city being established. We know what that means. It was established before for political purposes, and there is a danger that it will be established again for the same purpose. I shall certainly not support that portion of the Bill. I am not going to take power away from the commission to put it in the hands of the Minister. I admit the Minister is a fair-minded man, but the power is too great to put upon his shoulders. Let it rest with the commission that was established to carry it. The Lotteries Act was passed as something that would be entirely free from political control. The administration was put into the hands of selected men, who could be relied upon to make the distribution of the funds fairly and equitably. I want to see that freedom from political control continued. With regard to Mr. Clydesdale --

Mr. SPEAKER: I cannot allow the hon. member to deal with that subject.

Mr. J. H. SMITH: But the Minister referred to him last night.

Mr. SPEAKER: The hon. member cannot do it to-night.

Mr. J. H. SMITH: Then I will refer to a member of Parliament. I think the Minister was wrong in referring to that matter. We know that legal action has been taken against

the member in question. I would remind the House that a few weeks ago a member of the Government brought down an amendment to the Police Act, providing that if a man swore a declaration in order to get work or sustenance, and the declaration was not properly sworn to, he could be declared a rogue and vagabond. The amending Bill passed through this House after a good deal of fighting.

Mr. SPEAKER: Order! The hon. member is out of order in discussing a measure that has already been dealt with.

Mr. J. H. SMITH: I am only making a comparison between the two Bills. And now another Minister brings down an amendment to the Lotteries Act in order to whitewash somebody. He makes the Bill retrospective in order to get beyond something that is now before the Supreme Court. Let us be consistent and test the sincerity of the Government, test it as to one step and test it as to the other, one involving the commission of a crime and the other involving the qualification of a breach of the law. The Minister for Police says, "Let us qualify this particular Act because legal action has been taken concerning it. Let us make that qualification retrospective so that there can be no claim against the individual concerned." I am not speaking personally when I ask if it is right we should do that. Because a member of Parliament does wrong, and infringes the law, and proceedings are taken against him in the courts, is it right that the representative of such-and-such an electorate in Parliament, who has done something the law does not permit, should be white-washed? It is a wonder our legal members have not had something to say about it. It is said that the Crown can do no wrong, but can we be said to be doing right if we whitewash a man who happens to be a member of Parliament? It does not appeal to me. The principle is wrong and I must oppose it. We shall have an opportunity of testing the sincerity of those who are sitting behind the Government. We shall be able to test the sincerity of the member for Guildford-Midland, with his lifelong principles, who tells us we are imposing some hardship upon the workers.

Mr. Raphael: Your sincerity has already been put to the test.

Mr. J. H. SMITH: We shall test the sincerity of the member for Victoria Park, and see where he stands.

Mr. Raphael: Do you support the principle of blacknailing tactics and the earning of blood money?

Mr. SPEAKER: Order! There is nothing about that in the Bill.

Mr. J. H. SMITH: I do not know anything about blacknail, but we are going to endeavour to test the sincerity of members opposite, and to see where they stand. We shall see where the Puritan from Albany stands, and where the member for Kalgoorlie, who is always espousing the cause of the workers, stands. We shall see where all members stand if this side will only remain firm and true to its pledges, which, I regret to say, it has not done in the past. I refer to the Bill which amended Section 66 of the Police Act.

Sitting suspended from 6.15 to 7.30 p.m.

Mr. J. H. SMITH: Before the tea adjournment I touched on a few reasons why the second reading of the Bill should not be carried. I also said it was my intention to divide the House in order to test the sincerity of many members. Incidentally I mentioned the member for Guildford-Midland (Hon. W. D. Johnson) on account of his utterances, but for which I should not have referred to him. I also mentioned the member for Perth (Mr. Needham), and fell foul of the member for Victoria Park (Mr. Raphael). I regret that the member for Victoria Park is not in his seat now. He is a Puritan. Hon. members will recollect what took place in the Perth City Council when he expressed his views on the three per cents. arrangement. My object in dividing the House is to prove whether members on this side of the Chamber are the Puritans they profess to be. I wish to see where they stand relatively to their past utterances. Are members on this side going to show themselves true to their election promises or not? The last general election was fought practically on this issue.

Members: Oh!

Mr. J. H. SMITH: There are members opposite who hold their seats in this Chamber purely on the issue of crossword puzzles and the Lotteries Act. If this amending Bill passes, I see a very serious danger in the control proposed to be given to the Minister. I see a danger of White Cities being established all over the country, at Northam, Fremantle, Kalgoorlie—

Mr. Wilson: And Bridgetown.

Mr. J. H. SMITH: And Geraldton. The country might be split up into districts for the purpose of obtaining funds for political purposes. The people of Bridgetown have never sent a Labour representative to Parliament.

Mr. Wilson: That is bad luck for them.

Mr. J. H. SMITH: A Bridgetown representative was never elected by the aid of funds obtained from a White City. Not much intelligence is needed to perceive the cloven hoof in the amendment proposing to give the Minister control of the commission's funds. He will be able to dictate as to the allocation of all funds obtained from State lotteries. He will be able to use the funds for the relief of unemployment.

Mr. Hegney: Why not?

Mr. J. H. SMITH: It is a function of the Government to provide employment for every section of the community.

Members: No.

Mr. J. H. SMITH: If the amending Bill passes, there will be nothing in the world to prevent the Minister from saying to the commission, "The Government will require the profits from the next lottery, and the next, and the next, and so on, for unemployment relief, and to reduce the calls on Consolidated Revenue accordingly."

The Minister for Justice: What harm would there be in that?

Mr. J. H. SMITH: I shall not use my vote to take away control from the commission. The commission consists of men who have done much public service. No finer men are to be found in Western Australia. We can safely leave the control of the funds in their hands. I for one will not hand over that control to the Minister, in which case there would be no knowing what might happen. Surely every member on this side of the Chamber must realise that the amendments proposed have an ulterior motive.

Members: Oh!

Mr. J. H. SMITH: "Hansard" shows that the opposition to the Lotteries Act came principally from those who are at present on the Government side of the Chamber. Great good having resulted from that Act, why not let well alone? Why endeavour to bring the matter under political control? Surely a blind man can see the reason why. As I said earlier, the Minister for Employment brings in a Bill to amend the Police

Act, and Clause 66 of that Bill proposes to make people rogues and vagabonds because of efforts to obtain work. Yet here we have a Bill to whitewash and validate and make things all right for a man who happens to be at the top of the tree. I have the greatest respect for that gentleman, but someone else may some day do something outside the pale of the law. Suppose I did, and suppose I had a majority of members of Parliament behind me; then a validating Bill could be brought in to protect me, and before my case was heard in the Supreme Court I should be exempt from prosecution.

Mr. Wilson: But that would not be done.

Mr. J. H. SMITH: It might not be done in my case, but that is where the difficulty lies. Is Parliament to supersede the law courts by validating something that should not have been done? Are such retrospective laws to be passed? I turn to the member for Perth (Mr. Needham), the member for Maylands (Mr. Clothier), the member for Subiaco (Mr. Moloney), and the member for Canning (Mr. Cross), who hold their seats by reason of the Lotteries Act, which, like the crossword puzzle, was a burning question at the last general election. The member for Perth has said that he favours the restoration of the right of newspapers to run crossword puzzles in competition with the State lotteries. The hon. member was quite candid about that. The member for Perth is a friend of mine, and always says what he means. I ask members sitting in Opposition to vote as their consciences dictate. There is danger in every one of these amendments. On Clause 66 of the Police Act Amendment Bill the member for Murray-Wellington (Mr. McLarty) voted against this side of the House. I do not know how the hon. member will vote tonight. I surmise that he will do as he has done in the past—curry favour with some of the Ministers. I shall put the matter to the test. I am going to ask members to prove where their sincerity lies. We shall see whether this side of the Chamber is genuine in its opposition, or just palavering. We shall see whether the member for Victoria Park is sincere in his utterances, whether with all his probity and justice and ambition to do the right thing with regard to the expenditure of the municipal three per cents. he is sincere on this subject. I know the

man who has taken action against a member of the Lotteries Commission. He is the legal adviser of the member for Victoria Park.

Members: Oh!

Mr. J. H. SMITH: I am going to prove whether the member for Victoria Park is genuine in upholding his legal adviser, or whether he is going to take away the right to prosecute. When the House divides we shall see what the member for Victoria Park really thinks. The member for Hannans (Hon. S. W. Munsie) tells me not to stop yet. Let us see where that hon. member stands. Does he wish to start another White City at Hannans? Is a trades hall to be built there, or are additions to be made to any existing building, because the goldfields are becoming affluent again?

Mr. Wilson: What about Bridgetown?

Mr. J. H. SMITH: Bridgetown will be able to build a trades hall of its own. I oppose the second reading.

Mr. Raphael: The finest speech you have ever made.

MR. LAMBERT (Yilgarn-Coolgardie) [7.44]: Coming after such a torrent of eloquence, and the heat engendered by the previous speaker, one should be timid in approaching the discussion of the Bill. Most hon. members are fairly well seized of the necessity for the measure. The merits or demerits of members of the Lotteries Commission are altogether beside the question. The point is that the Mitchell Government, rightly or wrongly, secured the passage of the principal Act. The member for Nelson (Mr. J. H. Smith) was a supporter of that Government. The Attorney General in that Government contended that it was unnecessary to make special provision in the legislation to exempt, from the operations of the Constitution Act, members of Parliament who were appointed to the commission. I do not know whether the member for Nelson took any part in opposing that measure, but I should rather imagine that it would have been foreign to him to oppose a Bill introduced to control gambling.

Mr. J. H. Smith: I did not oppose it.

Mr. LAMBERT: We must remember what happened prior to the passing of the Act. Although I was not a member of Parliament at the time, I candidly admit that the Act, as introduced by the Mitchell Government, contained some provisions that I

would have been desirous of debating. As I was not a member of Parliament at the time, it was not necessary for the member for Nelson to produce any statements I made, to disclose my attitude. On a previous Bill that had been introduced by the then Minister for Health (Hon. S. W. Munsie), I did take up a definite attitude. Much of my speech was quoted by the then Leader of the Opposition, the present Premier, in reply to the Attorney General when the Lotteries (Control) Bill was first introduced by the Mitchell Government. The Mitchell Government secured the passage of that Bill, and the member for Nelson was one of their supporters.

Mr. J. H. Smith: Sometimes.

Mr. LAMBERT: As a matter of fact, there was no more loyal supporter of the Mitchell Government than he.

Mr. J. H. Smith: Nonsense!

The Minister for Employment: He opposed them when he felt sure that they would not be defeated.

Mr. LAMBERT: I know of no other man who, in words at least—I know the hon. member failed with regard to his actions at times—was more consistent than the member for Nelson in support of the Mitchell Government.

Mr. J. H. Smith: You were not here; you are speaking from hearsay.

Mr. LAMBERT: I was taking a holiday for the moment, and I can earnestly commend the same range of recreation to a number of members of this Chamber. In fact, a short stay outside this Chamber gives an opportunity for reflection and reconstruction of erroneous ideas that are developed through sitting so luxuriously in this Chamber.

Mr. Latham: They might not have such an opportunity to keep in close touch with the Chamber as you had during the past three years.

Mr. LAMBERT: That is something that may be said in my favour. The member for Nelson was a supporter of the Mitchell Government, and he and other members now sitting in Opposition, supported the Lotteries (Control) Bill and the Government.

Mr. Patrick: Not all of them.

Mr. Mann: Of course not.

Mr. LAMBERT: At any rate, they did not divide the House on the Bill.

Mr. Mann: We did.

Mr. LAMBERT: Members could have voiced their opinions then, because the Minister in charge of the Bill stated quite definitely that under its provisions it was possible to appoint a member of Parliament to the commission, without contravening any of the provisions of the Constitution Act. The Mitchell Government appointed the members of the Lotteries Commission.

Mr. Latham: I admitted that.

Mr. LAMBERT: And, in their wisdom, they appointed as a member of the commission, a member of another place, quite irrespective of political considerations.

The Minister for Health: And also a member of this Chamber.

Mr. Latham: We balanced it up a bit.

Mr. LAMBERT: No one could suggest that there was the slightest possible political tinge about the appointments. Therefore, the unfortunate remarks of the member for Nelson were not calculated to persuade members of this Chamber that there was anything corrupt about that phase.

Mr. Raphael: He could not even convince himself.

Mr. LAMBERT: Unfortunately, his remarks, when read by people outside, may be construed as indicating that there was a put-up job by the previous Government to surreptitiously appoint members of Parliament to the commission, whereas Parliament had not intended that course to be adopted. It was wrong to impute any such thing. Every member of this Chamber who heard the discussion was aware that certain members of Parliament who had been carrying out similar duties in an honorary capacity, were to be appointed to the Lotteries Commission.

The Minister for Health: It was said so.

Mr. LAMBERT: So there could never have been any suggestion of corruption or of anything wrong. I do not know why a member of Parliament should not be appointed to a commission of this description. Should we not be able to trust one of our fellow members to sit on a commission and represent Parliament and the people generally? If a man is sufficiently honorable, and has a proper sense of integrity, to secure the confidence of the people, then I do not know of anyone who is better qualified, or has a better right, to sit as a member of the commission than a member of Parliament. Irrespective of who may think differently, I shall not subscribe to the sentiment that

because a man is elected to Parliament, he is dissociated from all sense of responsibility and no longer possesses motives that are decent, honest or honourable.

Mr. Hegney: So long as Yilgarn-Coolgardie does not cry out, it will be all right.

Mr. LAMBERT: The hon. member need not fear that Yilgarn-Coolgardie will ever cry out regarding its present member. I will not utter a word that may be construed outside these walls as implying that members of Parliament should be disqualified from anything and everything—apart from the privilege of dipping their hands into their pockets and rendering service.

Mr. J. H. Smith: Did I suggest that?

Mr. LAMBERT: No.

The Minister for Health: You inferred it, if you did not say so straight out.

Mr. J. H. Smith: That is not so.

The Minister for Health: You do not know what you say.

Mr. SPEAKER: Order!

Mr. LAMBERT: Members of Parliament are called upon to contribute to every charitable or other object in the State. Surely there is no one better qualified to act in the interests of the people in any capacity than one who has had to submit himself to the rigid analysis of public opinion, like a member of Parliament. We are asked to validate a wrong, if it be a wrong, that was done by the previous Government, and it is merely the honourable thing to do.

Mr. Marshall: If it was a mistake, it was Parliament that made it.

Mr. LAMBERT: That is so. As a matter of fact, I have yet to be convinced that, under the Constitution Act, what was done was a mistake. I do not know that the courts would admit it was a mistake. The section of the Constitution Act relating to that phase is subtle, and the Constitution Act itself is most ambiguously worded. It is, admittedly, hard to say how a court would interpret the meaning of Parliament as disclosed in the wording of the Constitution Act.

Mr. Wilson: At any rate, the money that is handled is not Government money at all.

Mr. LAMBERT: That is true.

Mr. J. H. Smith: But you intend to make it Government money, in view of the amending legislation.

Mr. Wilson: Of course not.

Mr. LAMBERT: The Constitution Act was passed in 1899, and since then the whole conception of Parliament and its activities have materially altered. Our social outlook, the attitude of the country, our system of old age and invalid pensions, and a dozen other activities indicate how the position has altered since those earlier days. In the circumstances, a different interpretation must be placed on the provisions from that which probably prevailed when Parliament passed the Constitution Act in 1899. By the Bill before us, Parliament is asked to do the right thing. The question whether we should run "white cities" or gambling institutions is quite beside the point. The member for Nelson knows what unfortunate happenings and incidents occurred prior to the passing of the Lotteries (Control) Act, and knows they cannot recur, in view of the legislative control that is now exercised.

Mr. Wansbrough: Thank God!

Mr. LAMBERT: It is essential, in the interests of the youth of the State, that Parliament should tighten up the legislation to curtail gambling activities. The member for Nelson has evinced a desire to speak from high and lofty motives, and probably would desire to depict the misery and poverty that has resulted from an excessive desire to gamble.

Mr. J. H. Smith: I did not say so.

Mr. LAMBERT: Probably he would desire to direct attention to the misery and sorrow that have resulted from over-indulgence in drink, to a far greater degree than has been apparent as the aftermath of gambling. Look at the noble effort he aspires to make, from such a moral standpoint, in his desire to emphasise the curse of over-indulgence in drink! No doubt he would draw attention to the position in America, but he may ask himself, what has been the position there since the passing of the Eighteenth Amendment to the American Constitution?

The Minister for Justice: It resulted in placing the business in the hands of bootleggers and gangsters.

Mr. LAMBERT: And America is probably breeding a generation that will curse the Eighteenth Amendment, a race that will regard the history of that piece of legislation as one of the blackest pages in the many black pages of the history of the United States of America, almost as deplorable a page as their repudiation of obligations since and before the unfortunate war.

Mr. Thorn: And it created serious evils.

Mr. LAMBERT: Admittedly it did, and if we allow unbridled license for people to indulge in gambling, the same thing will obtain. We had a craze in crossword puzzles. I have nothing against crossword puzzles as such, and at the time I discussed with some of those interested the question whether we could not harness the agencies they possessed and so get money for charitable institutions. The hon. member knows there is no other way of getting money for charity; the member for Guildford-Midland (Hon. W. D. Johnson) knows that too.

Hon. W. D. Johnson: Nonsense! You are afraid of the Legislative Council.

Mr. LAMBERT: It is not a question of being afraid. Whether we like it or not, they are co-partners with us in the Legislature, and to that extent they must be consulted.

Hon. W. D. Johnson: And they will remain co-partners so long as you go on with legislation of this kind.

Mr. LAMBERT: We have to consult them. There is no other means of dealing with them, except one; Guy Fawkes tried that, and the result was unfortunate for Guy Fawkes. Even if we threatened them with a repetition of that, I do not know that the Legislative Council would be greatly perturbed.

Hon. W. D. Johnson: There are other methods.

Mr. LAMBERT: I am prepared to preach and practise other methods, and in that regard perhaps go farther than the hon. member. I commend him on his lofty attitude, but we have to accept as we find them the people we are called on to govern. We cannot create super men, nor can we establish for them a code of honour that might appeal to our better instincts; but we can say we will not continue to tolerate many of the gambling practices that obtained in this community before the passing of the Act which the Bill seeks to amend. As to whether the most deserving institutions are receiving the money distributed as the result of the sweeps is a matter for Parliament, and a matter upon which I have a very sharp opinion. I would not allow this legislation to continue unless every institution to benefit by it was scheduled and included in the Act, so that Parliament would know definitely what institutions were to benefit. As to whether

the Act should be continued for another three years, or for a shorter period, is a matter of opinion and is entirely subordinate to the all-important question of whether or not we shall do the decent, honest and honourable thing in rectifying a wrong that was perpetrated by a previous Government.

Mr. Marshall: No, by Parliament.

Mr. LAMBERT: Well, by Parliament. Primarily it was Parliament. Subsequently the officials ought to have been in a position to advise the Government whether they were in order in appointing members of Parliament to the commission. So long as such commissions are necessary I would not care, even if it were the member for Nelson who was appointed to the commission, I would not suggest that merely because he had been elected a member of Parliament he was disqualified from sitting on such a commission. It is a wrong attitude to take; it creates amongst the public a feeling of distrust against members of Parliament, an atmosphere of suspicion. Opinions such as have been expressed here to-night should not be voiced in this Chamber. To hear some who have been disparaging members of Parliament and declaring their unfitness to occupy high positions, one would think he was listening to a discussion in some tenth-rate bar room instead of in the Parliament of the State. When there is a manifest desire to belittle members of Parliament, who have been entrusted with the people's destiny, it behoves members to raise a debate such as this to a higher level, so that the people outside the four walls of Parliament may understand that Parliament at least does not share the view that all members are disqualified for the occupation of any responsible post. In a discussion such as this, I do not care whether it is Mr. Clydesdale or Mr. Mann who has been appointed—

Mr. SPEAKER: Order! The hon. member, I hope, will avoid personalities.

Mr. LAMBERT: Certainly. I know that year in and year out those two members of the commission have been noted for their benevolent and charitable acts, and have unselfishly devoted themselves to the alleviation of suffering in the community.

Mr. J. H. Smith: Did I say anything to the contrary?

Mr. LAMBERT: You said you were going to oppose the Bill.

Mr. J. H. Smith: To oppose the amendment. I did not refer to individuals.

Mr. LAMBERT: The hon. member said he would vote against the second reading and divide the House on it.

Mr. J. H. Smith: On account of the other amendment.

Mr. LAMBERT: That is entirely subordinate.

Mr. J. H. Smith: I wish I could think so.

Mr. LAMBERT: If the hon. member desires to show his disapproval of some of the amendments in the Bill he can do it in Committee, when possibly he will find me in his corner. But to vote against the second reading may mean that we shall not be able to validate certain acts of the previous Government, of which the hon. member was a supporter. What does it mean if the Supreme Court interprets the Constitution Act in favour of certain people who have issued a writ, believing that they will—

Mr. SPEAKER: Order! I have asked the hon. member several times not to bring that into the discussion, for it is sub-judice.

Mr. LAMBERT: One must refer to the necessity for the validating Bill.

Mr. SPEAKER: The case is sub-judice, and cannot be discussed here.

Mr. LAMBERT: It is, of course, before the court, but the fact remains that we have a validating measure, and if we do not pass that measure, and if certain interpretations are placed upon a certain Act it will mean that at least one member of the commission will be penalised to an extent which I do not think any man in his senses in this Chamber or in any other decent assembly would desire. Let us do the decent and honourable thing; since a previous Government made a mistake, let us live up to the better traditions of Parliament and validate that which we find unfortunately may be wrong.

MR. SEWARD (Pingelly) [8.11]: I was not a member of the House when the parent Act was passed, and possibly I do not view the Bill in the same light as do members of the previous Parliament. I intend to oppose the amendment to validate the appointment of certain members of the commission, and to oppose the second reading. I take a view directly opposite to that expressed by the

last speaker. It should be the aim of members to keep Parliament on as high a plane as it has been in the past, and the best way to do that is to avoid any possible suspicion being cast on members of Parliament. It is not complying with that condition to leave it possible for the appointment of members to such a commission to be declared improper; in other words contravening the Constitution and then passing a Bill to cover up that contravention. If the provisions of the Constitution are wrong, we should take steps to amend the Constitution, but if the Constitution is right, it should be upheld. If, as seems possible, the making of these appointments was wrong, I intend to use my vote in upholding the Constitution and the high level at which Parliament has been conducted in the past. As to the other provisions of the Bill, I will not give any support to diverting funds raised for charities. When, early in the session, the Premier brought down the Financial Emergency Tax Bill he said it was calculated to return sufficient money for the requirements of the unemployed, and that there would be no further taxation.

Mr. Raphael: He said he got what he asked for, but not what he required.

Mr. SEWARD: I will put it in my own way, and afterwards the hon. member can make his own statement. Since then we have had a further Bill providing for an additional £11,000 of taxation, and now we have this Bill, under which it will be possible to divert to the relief of unemployment not only a large part, but even the whole, of the revenue raised by the sweeps. If more than sufficient is being received from this source for hospital needs, I suggest they curtail the number of sweeps instead of devoting the surplus money to other objects.

The Minister for Health: Not a penny goes to the maintenance of hospitals.

Mr. SEWARD: I intended to say charities.

Mr. Latham: What about providing X-Ray equipment?

The Minister for Health: I said maintenance of hospitals.

Mr. SEWARD: I have already withdrawn my reference to hospitals; I intended to say charitable institutions. I do not disagree with gambling, but I cannot help viewing with alarm the considerable increase in gambling since the passing of the Lotteries

Act. One has only to enter the shops in country towns to see young fellows, who have not long left school and who cannot be earning much money, running in to buy these easily-obtained lottery tickets. The facilities do seem to make it rather too easy to indulge in this form of gambling. So far I do not think it has reached a stage that would warrant our stopping it, but, as was pointed out by the Minister, gambling in this form has increased considerably. If we are getting too much money from the lotteries and there is necessity to divert some of it, I would rather favour curtailing the number of sweeps. I should like to congratulate the commission on the manner in which they have conducted the sweeps. The figures given by the Minister indicated that the expenses represented 14 per cent., and that 10 per cent. of it went to ticket sellers. Thus, the general expenses were very small.

Mr. Griffiths: About 4.4 per cent.

Mr. SEWARD: That reflects the highest credit on the conduct of the sweeps. The other provision to give the Minister control of the distribution of the profits seems to amount to a vote of want of confidence in the administration of the past, though it might not have been intended in that way. However, I shall oppose that clause. If the Bill reaches the Committee stage, I shall oppose those amendments, but it is my intention to vote against the second reading.

MR. SAMPSON (Swan) [8.18]: When the original Bill was before the House I supported it. I felt, as indeed did most people, that it was high time something was done to control the rapidly increasing number of gambles provided in this State. I agree with the remark of the previous speaker that the commission have done their work well. I greatly regret, as I believe members generally regret, that two members of Parliament were appointed to the commission. That was against the wishes expressed in this House when the measure was passing the second reading. We were led to believe that the provision exempting members of Parliament from the operation of the Constitution Act was not necessary. A mistake was apparently made. The big mistake, however, was made by the two members of Parliament in accepting seats on the commission.

Mr. Sleeman: Members of this House thought it would be all right.

Mr. SAMPSON: Quite so.

Mr. Marshall: Then how did those two members make a mistake?

Mr. SAMPSON: We did not think that any member of Parliament would be appointed to the commission. The result of two members of Parliament accepting seats on the commission did have some effect at the recent elections. Strange as it may appear, and small though the matter was in comparison with other questions at issue, much was made of it. I listened with interest to the remarks of the member for Perth (Mr. Needham), and I would say that, to some extent at least, his position was affected by the appointment to the commission of certain members of Parliament. Since the Government made the appointments and since two members of Parliament accepted seats on the commission, I agree that there is no alternative to putting the matter in order. I acknowledge without reservation that the gentleman whom members have in mind and whose name must not be mentioned has done much good work in the cause of charity. He has organised various efforts and has been the means whereby a large sum of money has been collected for charitable purposes. Although I support the proposal to put the matter in order, if it can be done, the question will not be resolved until the final determination by those qualified to say whether the Constitution Act can properly be amended by the inclusion of a provision in this measure. I am not qualified to say whether it can be done, but I am prepared to vote for the second reading with that object alone in view. I support the continuation of the Act until the end of December, 1934, but I shall certainly vote against the other proposals in Committee. In my opinion the Government are doing something wrong in bringing forward other amendments at this time. The effect of the amendments will be to give the Government power to handle the money obtained from lotteries and utilise it for the relief of the unemployed. That was never intended when the parent measure was submitted by the then Minister for Police.

Mr. Raphael: Could the money be devoted to a better purpose?

Mr. SAMPSON: That is not the point. The object was mentioned a dozen times

when the then Minister for Police was moving the second reading of the Bill on the 6th October of last year, namely, that the proceeds would be utilised to assist charitable institutions.

Mr. Raphael: Is it not charitable to provide for unemployed relief?

Mr. SAMPSON: I am not disputing the importance of looking after the unemployed, but the lotteries were established to help charitable organisations, and not to relieve the Government from their obligations to the unemployed. It would be wrong to do anything that would have the effect of diverting the funds provided by the lotteries to a purpose that was never intended. Again, the provision to give the Minister the right to say how the profits shall be distributed is wrong. If we are going as far as that, we should have a State lottery straight out. To appoint a commission and then give the Minister power to say what should be done with the money is farcical. In Committee I shall oppose that amendment. A large sum is involved and there are ample uses to which the money can be applied. The Minister for Health said the money was not intended for hospitals, but there is no reason why some of it should not be so used. It could be used for subsidising the erection of hospitals or for the provision of equipment. I cannot see why the Minister should raise any objection to that, though his objection may have been to the statement that the money had been so used. As I have already indicated, I have no complaint to make against the conduct of the lotteries. The widespread opinion is that the commission are carrying out their work well. Whether we should continue the commission or have a lottery definitely under State control is a question to be considered. I am beginning to wonder whether we are working along right lines, seeing that it is necessary to protect a certain gentleman, whom I favour protecting, and to legalise what is feared to be an illegality. I am inclined to think it would be possible for the State Gardens Board to conduct the lotteries.

Mr. Raphael: You mean Mr. Shapcott?

Mr. SAMPSON: Yes.

Mr. Griffiths: Mr. Shapcott has enough to do now.

Mr. SPEAKER: We cannot discuss Mr. Shapcott under this Bill.

Mr. SAMPSON: Whatever is done by the State Gardens Board is done well.

Mr. SPEAKER: What has that to do with the Bill?

Mr. SAMPSON: I understand that in Committee an amendment will be moved to prevent the appointment to the commission of a member of either House.

Mr. Lambert: Will you move it?

Mr. SAMPSON: No, though I am prepared to do so. I propose to move an amendment to alter the duration of the measure. If we approve of the continuance of the Act until the end of December, 1934, we shall be going far enough. Then, towards the end of next session, the matter can receive further consideration. I regret that circumstances have rendered necessary the introduction of the Bill. I will support that portion relating to a member of the commission: in other words, I must support the second reading.

MR. GRIFFITHS (Avon) [S.29]: I deplore the position that has arisen regarding the Lotteries Commission. I do not wish to refer particularly to what is taking place in one of our courts, but those persons who were responsible for placing that member of the commission in the present position are bound to stick to him and do what they can to ensure restitution. This method, however, is not the right way to do it. It would not be right to penalise a member of the commission who has been placed in a responsible position, and Parliament should ensure that no financial loss is suffered by him in the event of certain proceedings resulting unfavourably to him. The commission have done excellent work at the very low cost of 4.4 per cent. of their revenue. That is an extremely reasonable cost and redounds to the credit of those concerned. At the time I was opposed to the appointment of these gentlemen, and voted against the second reading of the original Bill. I was told to-day that to be consistent I must oppose the second reading of this Bill, and I intend to do so. I am specially opposed to two or three of its clauses, particularly that which gives the Minister so much power over the funds. That is anathema to me. I am satisfied that the operations of the commission have been well carried out, and that heads of departments have been consulted concerning the disbursements. I can see no necessity for allowing

the Minister to have any finger in the pie. The Lord save us from any more Parliamentary control. There is too much of that already. We do not seem to get nearly as good results from those things over which Parliament does exercise control as is the case with private interests that are untrammelled by that authority. I interjected last night that when the commission was appointed it was distinctly understood and stated in the House that it was to be free from Parliamentary control.

Mr. Sleeman: Nothing of the sort.

Mr. GRIFFITHS: That was repeatedly stated in the Chamber. Now the Minister wants to have a say as to where the funds shall go. That is one of the great objections I have to the Bill. The member for Yilgarn-Coolgardie (Mr. Lambert) stated that we should endeavour to raise the level of debate in this Chamber, that we should handle these matters on a higher plane, but that this debate had been on a par with a fifth-rate tap room. At any rate, the member for Guildford-Midland (Hon. W. D. Johnson) endeavoured to raise the tone of the debate and to create a better moral atmosphere, if that were possible, in the Chamber.

Mr. Lambert: I thought he must be an apostolic delegate.

Mr. GRIFFITHS: He was not fair when he said that it was made easy by the richer class of people for the poorer classes to gamble, and that the latter were indeed encouraged to do so. I do not know that those who have a little more money than others are more anxious to popularise betting than are members of this House. The hon. member suggested that the more fortunate were easing their burdens by encouraging gambling amongst the poor. There is no doubt the people of Australia have the gambling spirit strongly developed. We have seen what has happened in the United States in the attempt to eradicate drink there. The member for Yilgarn-Coolgardie waxed eloquent on that subject. We know what a mess the authorities have made of things there. It would be almost idle to endeavour to eradicate gambling from amongst our own people. I have had some experience of voluntary giving. When any particular need exists, voluntary giving cannot be relied upon to any

great extent. I have in mind many instances of appeals for funds. Voluntary giving has been advocated as a solution of some difficulties, and it was understood that certain moneys would be forthcoming. I have in mind the Silver Chain annual fair that was held in the Supreme Court grounds. I have seen people there having a threepenny flutter on a ticket for a doll or something of that kind. Numbers of dolls had been prepared by a certain lady and these realised £74 for that worthy object. The dolls were practically unsaleable in any other way. It seems to be an instinct in the people of Australia that they must have a little flutter.

Mr. Raphael: Speak for yourself.

Mr. GRIFFITHS: I recommended fly-tox the other night for the hon. member.

Mr. Raphael: I would advocate rabbit poison for you.

Mr. GRIFFITHS: Get a fresh record.

Mr. SPEAKER: Order! The hon. member must address the Chair.

Mr. GRIFFITHS: I apologise Mr. Speaker. As I was saying, people like their little flutter. If there is an element of chance about a thing, they will very quickly come to the relief of some charitable object. I did not agree to the appointment of this commission in the first instance, but I admit it has done its work well. The Chairman and another ex-member of Parliament have been prominent in their charitable undertakings. I deplore anything that is likely to affect them adversely, but I do not think the method proposed in the Bill is the right one to follow.

Mr. Doney: What better method do you suggest?

Mr. GRIFFITHS: Certain things have been wrongfully done by a member of Parliament, and we are asked to legalise those acts. Where is that going to end? Are we going to legalise anything that a member of Parliament may do? This introduces a bad precedent, and I cannot stand for it. I shall strongly oppose the clause which gives power to the Minister to interfere with the allocations of the fund. I deplore the present position. If any member of the commission is likely to be victimised, Parliament should protect him, but I do not think the principle proposed in this Bill is the right one. I shall vote against the second reading.

MR. RAPHAEL (Victoria Park) [8.37]: I can visualise from the remarks of the previous speaker his attitude in regard to gambling. A few years ago we had the spectacle of the ex-member for York being prevented from standing for Parliament on account of his attitude on the question of gambling. When the proper date arrived, after that gentleman had had a day at the races on the previous Saturday, he found he could not put up his deposit.

Mr. Griffiths: You are a liar!

Mr. RAPHAEL: That cost him his seat.

Mr. Griffiths: You are a liar!

Mr. SPEAKER: Order!

Mr. RAPHAEL: We are told that gambling is an evil and a curse.

Mr. Griffiths: I ask that the statement made by the member for Victoria Park be withdrawn. It is a definite untruth.

Mr. Marshall: You are too late. You should have called the attention of the Speaker to the remark at the moment it was made.

Mr. SPEAKER: The member for Avon has asked that the remark of the member for Victoria Park be withdrawn.

Mr. RAPHAEL: If you direct me, Mr. Speaker, to withdraw the remark, I will bow to your ruling.

Mr. SPEAKER: You are asked to withdraw the remark. That is sufficient, under the Standing Orders.

Mr. RAPHAEL: I am prepared to withdraw the remark, but I ask you, Mr. Speaker, to request the member for Avon to withdraw the uncouth remark he made just now when I was referring to the ex-member for York.

Mr. Griffiths: I will withdraw what I said, and will tell the hon. member outside what I think of him.

Mr. RAPHAEL: I will—

Mr. SPEAKER: The hon. member will address himself to the Bill.

Mr. RAPHAEL: We have been told in terms of eloquence not often heard in this Chamber what the member for Nelson (Mr. J. H. Smith) thinks of the evils of gambling, and his expectations of the twisting that will take place on this side of the House when the question is voted upon. He suggested that the vote would test the attitude of members on this side of the House on the measure that was brought down by the party he supported. My attitude will not be the same now as it was then. I happened at the

time to have been severely dealt with, and my vote was not cast for or against the Bill put up by the Nationalist Government. We were told with a great deal of pathos that the hon. member would look forward to the twisting that would take place on this side of the House. Thank God this side of the House does not cater for twisters. We do not permit them to belong to this party, once they have ratted on us. I am not suggesting that the hon. member has ratted on any party, but the records of the parties by which he has stood are second to none of any party in the world.

Mr. SPEAKER: I must ask the hon. member to address his remarks to the Bill.

Mr. RAPHAEL: I am going to support the second reading, but cannot support the Bill in its entirety. I am definitely opposed to members of Parliament sitting on the commission. I do not believe the charge a certain member has to answer will come to anything, because my view is that his position is not an office of profit under the Crown. He is a member of the commission, the funds of which are raised by public subscriptions. The only thing he has to do is to manage the affairs of the commission, which have nothing to do with the Crown. I do not think any man in the State has done more for charity than he has, not only in respect to his work, but in the fact that he has so often put his hand into his pocket to assist the poor and needy. Parliament has the alternative of two decisions. It has to make up its mind whether it will support legislation that has already been agreed to. That legislation must have been thought to provide all that was required, otherwise the ex-Premier would not have given his approval to it. We must make up our minds whether we are going to support Parliament or the informer who has laid a particular charge.

Mr. SPEAKER: The hon. member cannot discuss any legal action in connection with that case.

Mr. RAPHAEL: I am certainly going to stand by the decision of Parliament. I am not, however, going to vote for a continuation of the commission for three years. I do not know whether I was elected because of the crossword puzzle business, but I am certainly in favour of re-establishing that system. I am opposed to any member of the commission being re-appointed at the termination of the present term.

Mr. Latham: To all of them?

Mr. RAPHAEL: I should like to see appointed a body of men who are in need of this remuneration. That may not be a decisive qualification, but there are as good men out of work as there are sitting in this Chamber—men as good as the members of the Lotteries Commission. I trust that on the question of reappointment, or appointment to the commission the Minister will give consideration to men who are unemployed and possess the ability to do the work.

The Minister for Justice: There is also the question of public record.

Mr. RAPHAEL: Many men with good public records are out of work to-day. I am sure we could find five such men, and perhaps 5,000, among the 14,000 unemployed. The only portion of the Bill I favour is the validating clause intended to protect a member of the commission. The rest of the measure, in my opinion, may go by the board. I hope Parliament will agree that a man who unwittingly placed himself, or was placed, in a false position, should be protected. It was at the instigation of a legal member of this Chamber that the protecting section was struck out of the principal Act. That member of the commission should be given the protection which he believed he had.

Mr. Latham: And which the Government believed he had.

Mr. RAPHAEL: Yes. Otherwise he would not have taken the position. He would not have been such a fool. Moreover, the Executive Council must have believed that the appointment was in order. I do not agree with much of what the previous Government did, but I am sure they were not capable of laying a trap that would put a man out of Parliament. I hope that the gentlemen who appointed this man will stand up to their responsibilities, and that those who are behind them in another place will also stand up to their responsibilities and see that the man referred to does not lose the case, Parliament having believed that his appointment was right in law and in justice.

MR. PIESSE (Katanning) [8.48]: Hon. members who were in this Chamber when the parent Act was passed must admit that the short duration of the measure was a strong reason for its being regarded as largely experimental. The late Parliament

was, I consider, wise in making the duration short, so that the measure could come up for speedy review and be re-enacted or amended as might be thought fit. To my way of thinking, there is little necessity for any amendment whatever. Seeing that the measure has been in existence for only a short period, it might be simply re-enacted for another year. The Bill proposes to extend the operation of the Act for a longer period.

The Minister for Justice: Half the time of Parliament is taken up in re-enacting annual Bills.

Mr. PIESSE: Many members voted for the Act with reluctance, and I admit I was one of those members. I was tempted to support the measure largely for two reasons—one being that it was thought better to bring gambling under legislative control, the other that certain moneys available would be set apart for charitable purposes. In view of those worthy objects and the great need for additional funds on account of the shortage of money in the Treasury one was tempted to give the measure a trial. I shall not enter into a discussion of the personnel of the commission, but in my opinion its activities have given no cause for complaint. If the Minister who introduced the parent Act were here to-night, I think he would say that his expectations have been more than fulfilled in respect of the business success achieved. The financial aspect is one that should be considered more seriously than has been the case during the debate so far. One of the dangers forecasted was that the measure might unduly encourage gambling. Indeed, I am doubtful whether we should not put some curb on the extension of lotteries; certainly we should not increase their number. There is also the contention that the falling-off in savings bank deposits may in part be attributed to the State lotteries. My personal view is that it is more profitable for the people to put their money into banks, where it will be available to them later, than to put it into lotteries. However, seeing that people are inclined to gamble in sweeps, it is perhaps necessary to have such a measure as the parent Act. Therefore I am prepared to support its extension for a further period. I trust, however, that the period of extension will be reduced from the three years proposed to two years, or even one year. Most of the amendments con-

tained in the Bill do not meet with my approval. The bringing of unemployment relief within the scope of the Act as a charity is altogether foreign to the purposes of the measure. The definition section distinctly provides that the purposes for which surplus funds from the lotteries are to be set aside shall be such as may be classed as charities. I cannot for a moment agree that work for the relief of unemployment is always a charitable purpose. If the funds are set aside for child welfare, it might be argued that the purpose was charitable. There is great danger in putting a premium on extension of the activities of the Lotteries Commission. As a result, influence might be brought to bear from all parts of the State. Members of Parliament might be ready to support further extension of lotteries in that event. It is particularly undesirable that such a power should be extended, as the question might be made an election issue. With regard to one or two of the other amendments proposed, I have to make reservations, more especially as to the amendment validating an action of the past Government which is said to be unconstitutional. You, Mr. Speaker, have reminded hon. members of the legal aspect of this phase repeatedly; and I wish to avoid saying more on that aspect than you are able to allow me to say. It is regrettable that the proposing of this amendment should be necessary. At the same time, I consider that the Government's decision on this point is right, subject to some reservations. If the previous Government made a mistake and did something which should not have been done, then, unless the action was criminal, something that would be regarded as impossible to condone, the first duty of the succeeding Government, or of the same Government if still in power, would be to rectify the error. The Minister in introducing the Bill made that quite clear. I wish, however, to draw attention to a danger in the proposed amendment. Though I am quite ready to support correction of the mistake, I do not want that mistake to be repeated; nor do I wish members of Parliament to be involved in similar mistakes in future. If the amendment is adopted in its present form, there will be nothing to prevent a member of this Chamber, or another member of another place, from being ap-

pointed to the commission. I do not say that there is any member of this Chamber or of another place who is desirous of a seat on the commission, but I think we should not allow the enactment of a provision which would enable people to say to members of Parliament, "In putting that mistake right, you put yourselves right." There are many suspicious people in the world, particularly at election time; and I refuse to be one to give such people an opportunity of twisting the intention of Parliament in another direction. I shall vote for the second reading of the Bill. I favour the re-enactment of the principal Act which I consider has done more than Parliament expected it to do and has on the whole been successfully administered. However, I propose to move the addition of a proviso to the validating clause, that no member of the Legislative Council or of the Legislative Assembly shall be appointed to the commission, and that the terms of appointment of the present holders of seats on the commission shall not be extended. The proviso will mean that protection will be given in respect of any contravention of the Constitution Act so far as past appointments are concerned. If that amendment were agreed to, it would make the position clear that we should not contravene the Constitution Act and we should safeguard its intention. I do not think the clause giving the Minister control over distributions is necessary. When the Act was originally introduced, the Minister in charge made the point that the work of the commission would be free from political control. The Minister has the right to appoint the members of the commission, and that should be sufficient. The existing system has worked well in the past. With the reservations I have indicated, I shall support the second reading of the Bill.

Question put and passed.

Bill read a second time.

In Committee.

Mr. Sleeman in the Chair; the Minister for Works (for the Minister for Police) in charge of the Bill.

Clause 1—agreed to.

Clause 2—Amendment of definition:

Mr. LATHAM: I hope the Committee will agree to strike out the clause, the ob-

ject of which is to extend the definition of "charitable purpose" by including the following: "any body which has for its object the relief of unemployed persons in the State." The purposes are set out in Section 2 and, among others, paragraph (i) reads—

Subject to the limitations imposed by Section 19 any object which in the opinion of the Minister may be fairly classed as charitable.

Section 19 merely limits to £250 the amount that can be distributed to any association, body or institution that comes within the provisions of paragraph (i). I submit that if the provisions of the Act are observed as they stand, ample means will be found to dispose of the money that is available. If there is one direction in which any surplus funds could be utilised, I suggest it is in respect to voluntary aid and medical or nursing advice to expectant or nursing mothers, reference to whom is made in paragraph (h).

The Minister for Health: That is a worthy object.

Mr. LATHAM: The Government have accepted the responsibility of looking after the unemployed. Let us wait until we have a reasonable amount of surplus funds before we extend the scope for distribution of money beyond the avenues referred to in Section 2.

The MINISTER FOR WORKS: When the Minister for Police moved the second reading of the Bill, he explained that the amendment of the definition was included to make legal what had been done by the commission since the inception. There was some doubt as to the legality of their action in working through district unemployment committees.

Mr. Latham: The Act already provides that power.

The MINISTER FOR WORKS: The advice received by the members of the commission was that there was some doubt because the district unemployed committees were not incorporated. According to the Act, bodies through which the commission can operate must be incorporated.

Mr. Latham: If you read paragraph (i) of Section 2 in conjunction with Section 19, you will see that it is not necessary for them to be incorporated bodies.

The MINISTER FOR WORKS: In view of the advice given the commission, the clause was inserted in order to place the

action taken in the past of distributing blankets and funds through district employment committees, beyond legal quibble or doubt. The amendment was included solely at the request of the commission, and there is no ulterior motive underlying it. The Government have no idea whatever of altering the procedure adopted by the commission from the outset.

Mr. Latham: But look at paragraph (i).

The MINISTER FOR WORKS: The hon. member must realise that it is not the object that is in question; it is the channel through which money and blankets have been distributed that is the trouble.

Mr. LATHAM: No limit is placed on the assistance that may be rendered to the institutions referred to in paragraphs (a) to (h) in Section 2, and, subject only to the limitation imposed by Section 19, under paragraph (i) the commission can allocate funds to any object which, in the opinion of the Minister, may be fairly classed as charitable.

The Minister for Works: There is no question about that; the trouble is regarding the incorporation.

Mr. LATHAM: To be perfectly candid, I suspect the Minister for Employment in connection with this clause. He has been saying such a lot about what is being done for the unemployed, but he knows that he cannot get all the money he desires, any more than we were able to. Here is an opportunity to get some additional funds. If money is diverted in that way, it will mean depriving charitable organisations and institutions of money to which they are entitled. The Act was passed definitely to assist those institutions, and it is a responsibility of the Government to assist the unemployed. The Minister for Works has assured us that the money will not be used for any purpose other than those already adopted by the commission, and that may be so. It must be remembered that the alteration will remain on the statute-book till 1936. How can the Minister commit incoming Ministers?

The Minister for Works: But you admit that the money can be spent for the purpose I have indicated.

Mr. LATHAM: You have the power to do it.

The Minister for Works: Then the amendment will not affect the position.

Mr. LATHAM: The whole of the money can be used as indicated in paragraphs (a) to (h) without any limit.

The Minister for Works: Of course I can. The only trouble is regarding the channel through which help can be extended.

Mr. LATHAM: The position is quite clear. The Minister referred to blankets. They are already provided for in the Act. It ought not to be necessary to spend more than £250 on them.

The Minister for Health: They spent £1,000 on blankets.

Mr. LATHAM: For various bodies.

The Minister for Health: No, for unemployment relief committees.

Mr. LATHAM: Under this they could give £250 after every sweep. There is no need for that. It would be dangerous to have the whole of the proceeds paid into the Treasury. Every penny the commission can get hold of can be well spent on charitable objects. No opportunity should be given to the Minister for Employment to take away any of that money.

The Minister for Works: The amendment does not alter that £250.

Mr. LATHAM: Of course not; they could spend the £250. I warn members that the charitable institutions in their respective electorates will get no more assistance if this money is to be diverted to unemployment relief. There will then be no money for X-Ray plants or additions to hospitals. I can see in this proposal the Minister for Employment, who wants more money. We are told he is asking for 2½ millions. If he is to get that, I do not know what other Ministers will be able to do for their departments. I urge the Committee not to give the Government the desired power, for we are far safer in the hands of the commission.

Mr. WILSON: Sometime ago 1,000 blankets were secured from Albany. I wanted some of them for the unemployed at Collie, but was told that unless I had some organisation to attend to the distribution, I could get none. Members representing the South-West got together, and we had trouble in inducing the commission to give us any money. The first thing we were called upon to do was to get committees formed to control the money furnished by the commission. The commission said they were afraid they would not be allowed

to allocate any money to us, because we were not corporate bodies. The clause overcomes that difficulty and so I will support it.

Hon. N. KEENAN: Under the Act, if the Minister is of opinion that any specific object is charitable, he can declare it to be so, and under Section 19 that object can receive support up to £250. The effect of the proposed alteration would be that if the Minister certified unemployed relief committees to be charitable objects, they could receive £250. But if the clause be passed in its present form, the Minister could take the whole of the proceeds of a lottery and hand it over to unemployment relief. Surely it is desired that the proceeds of the lotteries should be distributed over the whole of the charities. I hope the Government will not press the clause, because I cannot believe they want to give the Minister complete control over all the moneys available as the result of the lotteries.

The Minister for Health: The clause is there expressly at the request of the commissioners themselves.

Mr. Latham: Well, they are wrong.

Hon. N. KEENAN: If the clause goes through as printed, the Minister will be able to hand the whole of the proceeds over to unemployment relief.

Mr. LAMBERT: It is true the clause will permit the Minister to approve of all moneys being allocated to unemployment relief. But all that is necessary is to make the clause subject to Section 19 of the Act. And under paragraph (c) of Section 2 of the Act, the Minister could hand over all the proceeds of the lotteries to the relief of former soldiers, sailors or nurses.

Hon. N. Keenan: What power has the Minister under the Act to select particular charitable purposes?

Mr. LAMBERT: He has none, but former soldiers, sailors and nurses are included in the definition of charitable objects. However, as I say, a suitable restriction could be imposed upon the Minister by making this clause subject to Section 19 of the Act. The Leader of the Opposition forgot that the Minister will be able to devote the whole of the money to former soldiers, sailors or nurses.

Mr. Latham: I definitely said that could be done.

Mr. LAMBERT: Do you think that desirable?

Mr. Latham: No, not altogether, but it has always been there.

Mr. LAMBERT: Under the clause the procedure will be that the commission will recommend that certain moneys be allocated in a certain way, and that will be put up to the Minister for approval. However worthy the relief of ex-soldiers, sailors and nurses might be, the definition was stretched to bring them within the purview of a charitable institution. The Leader of the Opposition, a returned soldier, might some day be in charge of the Act and might consider that Anzac House came within the definition.

Mr. Griffiths: You have a vivid imagination.

The Minister for Railways: You have to trust people to be decent.

Mr. LAMBERT: To suggest that any Minister would do such a thing would border on the insincere.

Mr. Latham: He would have no power; the commission distribute the money.

Mr. LAMBERT: It is desirable that there should be a brake on the activities of the commission. If I were making a schedule of the charitable institutions to benefit, I would eliminate 50 per cent. of those covered by the definition. The inclusion of many of them was a political sop that could not be justified under any pretext.

Mr. Latham: Throw the whole thing out.

Mr. LAMBERT: The Leader of the Opposition said he saw the hand of the Minister for Unemployment in the Bill. Parliament has a right to appoint a Minister to take the responsibility, though I admit the sums to be distributed should be limited. The Act should include a schedule of charitable institutions that are to benefit, together with the percentage to be granted to each according to its scope and usefulness. Under changed economic conditions, relief of unemployment should not come within the scope of the definition.

The MINISTER FOR JUSTICE: I am surprised at the Leader of the Opposition suspecting Ministers after the statement of the Government's intentions made by the Deputy Premier.

Mr. Latham: But this will be put in the Act permanently.

The MINISTER FOR JUSTICE: For the hon. member to say that he could see the hand of the Minister was quite unwarranted.

Mr. Latham: I let you down lightly. If you like I will tell you for what it could be used.

The MINISTER FOR JUSTICE: If the Leader of the Opposition were Minister and were sufficiently unscrupulous, he could give all the money to the Primary Producers' Association, which is an incorporated body, for the benefit of indigent persons, and some of it could be used for that purpose and some for political purposes. Such things, however, are not done in this State at any rate. The underlying principle of the Bill is that all the money raised shall be distributed amongst worthy charitable institutions.

Mr. Latham: At the will of the Minister.

The MINISTER FOR JUSTICE: And Ministers act on right lines, irrespective of party. It was unworthy of the Leader of the Opposition to make such a suggestion.

Mr. Latham: I will tell you how the money could be spent.

The MINISTER FOR JUSTICE: It is a question not how it could be spent, but how it will be spent by the Government, who have definitely stated their intentions.

Mr. Latham: I do not think that Mr. Bavin, in New South Wales, would have accepted the assurance.

The MINISTER FOR JUSTICE: We are in Western Australia and the rule of conduct here has been beyond reproach. Whenever a Minister has given an assurance to Parliament, he has not twisted. I think the Leader of the Opposition was pointing out the bare possibility and not the probability of what might happen.

Mr. Latham: I said there was a possibility.

The Minister for Health: You went farther; you were very definite.

Mr. Latham: If you want something definite, I can give it.

The CHAIRMAN: Order!

The MINISTER FOR JUSTICE: The Government desire to assist people who are doing good work to help the indigent unemployed. These bodies have done wonderful work, but, because they are not incorporated, it is possible that the distribution of funds amongst them may be challenged, and the commission may be held responsible for

wrongfully diverting funds to a purpose not provided for in the Act.

Hon. N. Keenan: That is not so. If the Minister certifies to the object for which the money is required, the commission can spend up to £250. That is quite plain.

The MINISTER FOR JUSTICE: The Minister may certify to the object, but not to the agency through which the money is going to be distributed. It is provided that the bodies concerned shall be incorporated. The commission may thus be doing something outside the purview of their power. The object of the Government is to get over that comparatively small disability, and remove what may turn out to be a real difficulty. There is no question of the money being diverted to any other channel than that for which it is intended.

Hon. N. KEENAN: I feel sure the Minister has not studied the Act. Under paragraph (d) of Section 10, the commission may apply the surplus moneys, after the payment of the cost of the lottery, from time to time, with the sanction of the Minister, to any charitable purpose. The Minister has no power to suggest, only to approve. Section 2 indicates what charitable purposes are. Subject to the limitation of Section 19, any object which, in the opinion of the Minister may be fairly classified as a charity, can be assisted. The only reference to an incorporated body is in paragraph (g). There is no necessity to alter what is already in the Act. It is not a matter of law but of common sense.

Progress reported.

BILL—EMPLOYMENT BROKERS ACT AMENDMENT.

In Committee.

Resumed from the previous day; Mr. Sleeman in the Chair; the Minister for Works in charge of the Bill.

Postponed Clause 15—Obligation of employer to pay servant's fare on termination of service for any reason other than wilful misconduct:

The MINISTER FOR WORKS: I promised last night to consider amending this clause with the object of preventing abuses. I have had amendments drafted which I think will give protection to a greater extent than that provided in the printed clause,

but I am afraid the draft goes too far to give much protection to the employee. I propose to add to the causes for which an employer may dismiss an employee, "incompetence" as well as "misconduct." To overcome the point raised by the Leader of the Opposition with regard to an employee going into the country and terminating his employment in a day or two, I propose to provide that the termination of the appointment can be made by the employer, before he is called upon to pay the fare. I also propose to insert a proviso that where the servant is dismissed for wilful misconduct or incompetence, or where he obtains an engagement by means of a false statement, as to his capabilities, experience or fitness for the employment, the employer may recover back in any court of competent jurisdiction any money paid under paragraph (a) of the clause, and where an engagement is obtained by such false statements, the employer shall not be liable under paragraph (b). If the fault is on the employee, and the fare has been paid, it can be recovered, and the employer is relieved of any obligation to pay the return fare. I cannot get a draft that will give all the protection I want, and I am afraid this goes a little too far. I see many abuses that are likely to arise if the clause is not amended.

Mr. Sampson: If the employer gives notice, he will have to provide the return fare.

The MINISTER FOR WORKS: Yes.

Mr. Sampson: It would be easy to provoke the employer to give notice.

The MINISTER FOR WORKS: I do not see what penalty could be placed upon the employee if he did provoke the employer. There would be an argument as to who did the provoking. I am also positive numerous charges will be made of incompetence and unfitness; it will then be largely one man's word against that of another. I can, however, think of nothing better than this. I, therefore, propose to take the risk and make the experiment.

Mr. Ferguson: Unless you drop the whole clause.

The MINISTER FOR WORKS: That would be the only alternative. I move an amendment—

That in paragraph (b) after the word "terminated" the words "by the employer" be inserted.

Hon. N. KEENAN: The Minister has certainly gone a long way to meet the views of the Committee. Possibly he may have so altered the clause that it may not mean what he intended. One of the probable abuses that would occur would be that someone may accept a position without intending to hold it. For instance a housemaid engaged for Wiluna might leave the service of her employer almost immediately after her arrival there. She could say in court that the surroundings were not suitable from her point of view. I do not propose to do more than ask the Minister to consider that aspect.

Amendment put and passed.

On motion by the Minister for Works, the words "or the incompetence" inserted after "misconduct" in line 2 of paragraph (b).

The MINISTER FOR WORKS: I move an amendment—

That the following proviso be added to paragraph (b):—"Provided that (i) where the servant is dismissed for wilful misconduct or incompetence; or (ii) where he obtains the engagement by means of false statements (not condoned by the employer before the termination of his service) as to his capability, experience or fitness for the employment, the employer may recover back in any court of competent jurisdiction any moneys paid under paragraph (a) of this section, and where the engagement is obtained by such false statements the employer shall be under no liability under paragraph (b)."

Mr. LATHAM: This amendment meets some of the objections which have been raised, but it seems to make no provision for the recovery of the money from the person who has had his fare paid.

Hon. N. Keenan: Yes. That is provided for by paragraph (a).

Mr. LATHAM: But suppose the person never goes to the destination; suppose he leaves the train at Meekatharra instead of going on to Wiluna. Such an action would amount to false representations, and might come within Section 66 of the Police Act. There should be some tightening up here. I do not want the Bill to be thrown out by another place because of insufficient consideration in this Chamber.

Hon. N. KEENAN: I regard the Minister's proposal as amply reasonable, and I hope the Committee will accept it.

Amendment put and passed; the clause as amended, agreed to.

Title—agreed to.

Bill reported with amendments.

House adjourned at 10.9 p.m.

Legislative Council,

Tuesday, 31st October, 1933.

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The PRESIDENT took the Chair at 4.30 p.m., and read prayers.

ASSENT TO BILLS.

Message from the Lieut.-Governor received and read notifying assent to the following Bills:—

- 1, Goldfields Allotments Revestment.
- 2, Supply Bill (No. 2) £1,201,000.

QUESTION—METROPOLITAN WHOLE MILK ACT.

Hon. C. F. BAXTER asked the Chief Secretary: 1, How many employees are engaged by the department on the administration of the Metropolitan Whole Milk Act, 1932? 2, What is the total amount of remuneration in connection therewith?

The CHIEF SECRETARY replied: 1, None. 2, Answered by No. 1.

BILL—ENTERTAINMENTS TAX ACT AMENDMENT.

Received from the Assembly and read a first time.

BILL—FIRE BRIGADES ACT AMENDMENT.

Second Reading.

THE HONORARY MINISTER (Hon. W. H. Kitson—West) [4.40] in moving the second reading said: This is a Bill to amend the Fire Brigades Act of 1916. The first amendment deals with the constitution of fire districts. Under the existing Act, if the Fire Brigades Board desires that a certain portion of a municipal or road district be gazetted as a fire district, it is necessary that the board shall first of all gazette the whole of that district and then, by a subsequent Order-in-Council, delete that portion of the district which it is desired not to have incorporated as a fire district. It is a round-about method, very cumbersome, and it is generally agreed that it should be altered. For instance, in a road district one may have two or three townships, and it may be considered necessary to gazette only one of those townships a fire district. Yet in order to do that, the board must first of all gazette the whole of the district, and then further gazette that portion of the district which it is proposed not to include. In addition, it may be desired that a fire district shall consist of portions of more than one road district or municipality, and again it is not possible under the Act to do that, save by the round-about method I have described.

Hon. Sir Edward Wittenoom: Is there a Fire Brigades Union?

The HONORARY MINISTER: Yes. Again, it may be required that more than one whole district shall be gazetted as a fire district. To make the position simpler than it is at present, it is necessary that this amendment shall be agreed to. Another amendment contained in the Bill is to increase the number of members on the board from nine to ten. At present the board is constituted of two Government representatives, two insurance companies representatives, one City Council representative, one representative elected by the local authorities set forth in Part II. of the Second Schedule, one representative elected by the local authorities in Part III. of the Second Schedule, one representative of the local authorities in Part IV. of the Second Schedule, and one representative of the volunteer fire brigades. It is desired to increase the number from nine to ten, and to provide that the tenth member shall be a representative of the permanent fire brigade,